

CUSTOMER NO.: 24498
Attorney Docket No. PF030060
Date of Office Action: 11/10/2009

PATENT

Remarks/Arguments

Claims 1, 3 - 9 are pending. No amendments have been made to the claims in this response.

Rejection of claims 1, 3 - 8 under 35 USC §103(a) as being unpatentable over Gerhmann (EP 1102430 A1) in view of Stajano et al. "The Resurrecting Ducking: Security Issues for Ad-hoc Wireless Networks" (hereinafter Stajano).

Applicants submit that for at least the following reasons, claim 1 is patentable over Gerhmann and Stajano, either singly or in combination.

Claim 1 recites in part,

"means adapted to store information about devices of the community having trust relationships with said device in the past but now not trusted by said device (emphasis added)."

In the Office Action, it is admitted by the Examiner that Gerhmann does not disclose the means adapted to store information about devices of the community having trust relationships with said device in the past but now not trusted by said device. Because of this defect, the Examiner is citing Stajano and alleging that Stajano discloses the above-claimed feature. Applicant respectfully disagrees.

Stajano pertains to secure transient association of a device with multiple serialized owners (Stajano: abstract). In the context of a user and a device, the device is controlled by an intended owner or user. When the intended owner wants to sell the device, the device is told to die. The device can be resurrected by a new owner. (Stajano: 3.2 Secure transient association). Upon the death of the device, the device loses its memory of the previous owner (Stajano: Section 3.3, fourth paragraph: *"With some devices, death can be designed to follow an identifiable transaction: our medical thermometer can be designed to die (and lose*

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its memory of the previous key and patient) when returned to the bowl of disinfectant (emphasis added).")

The Office Action cites the last paragraph at page 6 as reciting the above-referenced feature of claim 1 which is as follows:

*"In some applications we may need to be able to recover from circumstances in which the legitimate user loses the shared secret (e.g. the password is forgotten or the remote control is broken beyond repair). To be able to regain control of the duckling, one should allow for **escrowed seppuku**: someone other than the mother, such as the manufacturer, holds the role of Shogun with a master password that can command the device to commit suicide."*

The cited section in Stajano indicates that a legitimate user is told to kill itself by another device other than the mother, such as a manufacturer. As noted above, when the device is dead, it loses its memory of its previous owner, mother or user.

By contrast, claim 1 recites *"means adapted to store information about devices of the community having trust relationships with said device in the past but now not trusted by said device (emphasis added)."* Stajano does not recite that the device stores this information. In fact, Stajano teaches away from this. When the device "commits suicide" it is "dead" and loses its memory of its previous mother, controller, or owner, including its secure transient association. Thus, it is impossible for the device to store information about previously trusted devices which are now no longer trusted. As such, Stajano does not recite *"means adapted to store information about devices of the community having trust relationships with said device in the past but now not trusted by said device."*

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In view of at least the foregoing, Applicants submit that Gerhmann and Stajano, either singly or in combination, fail to teach or suggest each and every limitation of the subject claim. A person ordinarily skilled in the art would not find it obvious to combine the teachings of Gerhmann and Stajano and further to modify them to arrive at the claimed invention without the benefit of impermissible hindsight. Therefore, claim 1 is patentable over Gerhmann and Stajano, either singly or in combination. Claims 3 – 8 respectively depend from and inherit all the respective features of claim 1 and thus are patentable for at least the reason that they respectively depend from claim 1 with each claim containing further distinguishing features.

Rejection of claim 9 under 35 USC §103(a) as being unpatentable over the combination of Gerhmann and Stajano in view of Fraser et al (U.S. Patent Pub. No. 2003/0131232).

Applicants respectfully traverse this rejection since Fraser is unable to remedy the deficiencies of Gerhmann and Stajano explained above in conjunction with claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

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Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

It is believed that there are no additional fees due with regard to the filing of this response. However if there is an additional fee due, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,
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